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Attorney Docket No. KMC-617

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Bradley D. Schweigert

Examiner: Alvin A. Hunter

Serial No.: 10/803,937

Group Art Unit: 3711

Filed: March 17, 2004

Title: METHOD OF MANUFACTURING A FACE PLATE FOR A GOLF CLUB HEAD

Mail Stop – Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an Amendment for this application.
2. Interview Summary.
3. The fee for claims has been calculated as follows:

CLAIMS AS AMENDED									
	Claims After Amendment		No. Prev. Paid For		Present Extra		Rate - Small		Add'l Fee
Total	4	-	14	=	0	x	\$ 50.00	=	00.00
Indep.	1	-	2	=	0	x	\$200.00	=	00.00
Filing Fee Calculation:									<u>\$00.00</u>

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. §1.136, with the following fees being payable under 37 C.F.R. §1.17(a)-(d) for the number of months checked below:

Extension	Fee for other than Small Entity	Fee for Small Entity
<input type="checkbox"/> One Month	\$110.00	\$55.00
<input type="checkbox"/> Two Months	\$380.00	\$190.00

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Response

4. The total fees to be paid are as follows and are enclosed payable to the Commissioner of

Patents and Trademarks:

Fee for claims adjustment:	00.00
Extension fee:	<u>0.00</u>
Total Fees Due:	<u>\$00.00</u>

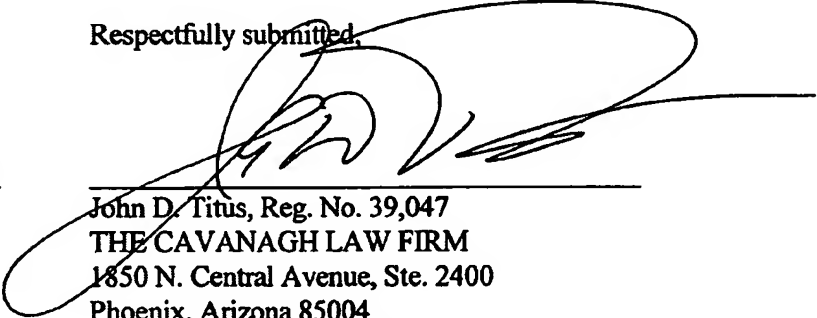
5. Applicant believes there are no additional fees required for these filings. The

Commissioner is hereby authorized to charge any deficiency to Deposit Account No. 50-2173. A

duplicate copy of this Transmittal Letter is enclosed.

Respectfully submitted,

Dated: 19 Jan 2006



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CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this document (and any as referred to as being attached or enclosed) is being deposited with sufficient postage as first class mail with the United States Postal Service on January 19, 2006 and addressed to Mail Stop -Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Colleen T. Bennett



Attorney Docket No. KMC-617

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Bradley D. Schweigert

Examiner: Alvin A. Hunter

Serial No.: 10/803, 837

Group Art Unit: 3711

Filed: March 17, 2004

Title: METHOD OF MANUFACTURING A FACE PLATE FOR A GOLF CLUB HEAD

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INTERVIEW SUMMARY

Sir:

On January 6, 2006, the applicants' attorney and the Examiner engaged in a telephone interview regarding the above-captioned application. Claims 11-14 were discussed. Applicants' attorney pointed out that according to principles of strict antecedence the term "said predetermined distance" in lines 6-7 of claim 11 must mean that the predetermined distance in lines 6-7 of claim 11 must be the same as the predetermined distance in lines 5-6 of claim 11. Since none of the art cited by the examiner includes two elliptical regions where the major and minor axes of the two regions differ by the same amount as claimed in claim 11, applicants' attorney took the position that the claim was not anticipated by the art cited by the Examiner. Applicants' attorney volunteered to amend claim 11 to (in applicants' opinion unnecessarily) clarify that "said predetermined difference" meant the same distance.

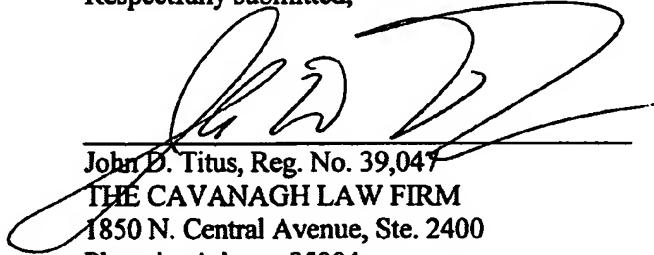
Title: METHOD OF MANUFACTURING A FACE PLATE FOR A GOLF CLUB HEAD
Serial No. 10/803,837
Interview Summary

The Examiner agreed that he had misinterpreted the meaning of the claim but indicated that prosecution was closed and therefore he would not consider any further amendments even if necessitated by his own misreading of the claim. The Examiner further indicated that even if he were to reconsider the claim, he would simply issue a rejection under 35 U.S.C. § 103 because there was nothing surprising about the performance of a golf club made according to claim 11. Applicants' attorney protested that the Examiner was applying an incorrect standard and further that the Examiner's willingness to threaten a § 103 rejection without citing any art that disclosed or suggested the combination of claim 11 was also inappropriate.

No agreement was reached.

Respectfully submitted,

Dated: 19 Jan 2006



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